

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

ASHLEY RENEE HOPKINS,)
)
Plaintiff,)
)
vs.)
)
CENTRAL HEALTH CORPORATION,)
)
Defendant.)

Case No. 11-3206-CV-S-ODS

ORDER AND OPINION (1) DENYING AS MOOT MOTION TO DISMISS (DOC. 3),
AND (2) GRANTING MOTION FOR ORDER OF DISMISSAL (DOC. 7)

Defendant Central Health Corporation moved to dismiss with prejudice Count III of Plaintiff Ashley Renee Hopkins' petition, which alleges Central Health terminated her employment in violation of Missouri public policy. After Central Health's motion, Hopkins filed a motion for an Order of Dismissal with respect to Count III.

Hopkins was permitted to dismiss as of right because her motion was filed before Central Health filed an answer or a motion for summary judgment. See Fed. R. Civ. P. 41(a)(1)(A). Hopkins' motion to dismiss without prejudice is granted. The Court denies as moot Central Health's motion to dismiss.

IT IS SO ORDERED.

/s/ Ortrie D. Smith
ORTRIE D. SMITH, SENIOR JUDGE
UNITED STATES DISTRICT COURT

DATE: July 21, 2011